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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
re PATENT APPLICATION OF

FREEMAN et al

Atty. Ref.: 39-232

Serial No.: 09/763,236

Group Art Unit: 1635

Filed: June 11, 2001

Examiner: Schmidt, M.

For: DRUG TARGETING

#10/K.T.
12/6

ELECTION

* * * * *

November 25, 2002

RESPONSE

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

This in response to the Examiner's requirement for restriction, set forth in the Office Action dated September 25, 2002, the period for response having been extended up to November 25, 2002, by submission of the required petition and fee herewith.

Applicants elect the subject matter of Group I (claims 24-30, 32 and 37-45), with traverse, for prosecution in this application.

With reference to the Examiner's requirement for election of a single linker and specific R1-R4 groups, Applicants elect -NH as the linker, hydrogen as the R1-R3

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groups and alkyl as the R4 group. This election is made with traverse.

The Examiner is respectfully requested to reconsider the requirement for restriction.

At the outset, the Examiner is reminded that the present application represents the U.S. national phase of a PCT application. No plurality of invention objection was raised during the International phase and thus no requirement for restriction should be made here.

Furthermore, the Examiner's apparent assertions to the contrary, the invention does not relate simply to different, specific groups of compounds. Rather, the invention relates broadly to the principle to "bio-reductive conjugates" from which a drug is released by a through bond elimination reaction on reduction of a nitro group. The broad principle is illustrated in Schemes 1 and 2 which are present on pages 6 and 7 of the specification. It is this broad principle that is covered by claim 1 and that unites all of the various groups of compounds.

An early and favorable Action on the merits is awaited.

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Respectfully submitted,

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Atty Dkt.: 39-232Date: November 25, 2002To: Examiner Schmidt, M. - Group: 1635Firm: USPTOFacsimile No.: (703) 308-4242From: Mary J. Wilson

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Tabitha A. Trice
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In re PATENT APPLICATION OF:

GROUP 1600

FREEMAN et al

Serial No.: 09/763,236

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OFFICE

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